

COMMITTEE ON COMMUNITY SERVICES
(Standing Committee of Berkeley County)

Chairman: Mrs. Judy C. Mims, District No. 6
Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Steve M. Vaughn, District No. 5
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Henry L. Richardson, Jr. District No. 8
Mr. James H. Rozier, Supervisor ex officio

The COMMITTEE ON COMMUNITY SERVICES, Standing Committee of Berkeley County Council, met on Monday, May 14, 2001, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:11 p.m.

PRESENT: Mrs. Judy C. Mims, Councilmember District No. 6, Chairman; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mr. Steve M. Vaughn, Councilmember District No. 5; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Henry L. Richardson, Jr., Councilmember District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex-officio; and Mr. D. Mark Stokes, County Attorney. Mr. Milton Farley, Councilmember District No. 1, was excused from this Committee meeting.

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and copy of Agenda of this Committee meeting of Berkeley County Council at the entrance to the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Councilmembers and the News media.

Chairman Mims called the meeting to order and stated the only item on the agenda was Consideration of transferring Cypress Gardens from the Committee on Planning and Development to the Committee on Community Services. She stated she didn't know why this item had been such a controversial thing but when they met in January to discuss reorganization of the Committees this was not on the agenda and they were told it would have to be discussed at a later date. So, for this reason she had it put on the agenda because everything had been completed at Cypress Gardens including the Reptile House.

Councilmember Spooner indicated that since that came under her Committee she would have to object to the discussion of the item. Chairman Mims stated she knew there would be objection but she would like for them to hear her out.

Chairman Mims stated that when Supervisor Rozier first approached Council to secure Cypress Gardens for Berkeley County, they were informed that it was in trouble due to Hurricane Hugo but could be a profitable venture. She stated she personally voted for Cypress

Gardens to be included in Berkeley County and she feels it could be a self-sustainable situation. This is not a passive park; they would continue to add exhibits, maintenance, and other costs. Chairman Mims stated her constituents have called to express their concerns about County money being spent on Cypress Gardens. Now, we are possibly facing a tax increase and are in a spending freeze for the County. She stated she feels it's prudent to look at every department, especially one that is not generating enough money to be self-sufficient and in fact, is costing the County money. In reference to the statement that this was a political vendetta, that is not true. Since she had been on Council she had questioned situations and conditions along with her constituents when they were not clear on information and she feels that has caused her problems. Chairman Mims stated she was elected to be accountable to Berkeley County's taxpayers and she would continue to do so.

Councilmember Spooner reiterated she objects to this item being discussed. Council rules specify that this item does not come under Community Services. Chairman Mims stated the County Attorney did not tell them that this item could not be brought up. She stated they were told at the Organizational Meeting that it could be discussed at a later time; in fact, she brought the minutes of the meeting. Councilmember Spooner asked was it Cypress Gardens they discussed? Chairman Mims replied, yes.

Mr. Stokes stated he didn't recall any discussion about Cypress Gardens being transferred from one Committee to another. If he had been asked an opinion on that matter he would have given the same opinion that he gave Supervisor Rozier, that the matter would have to be brought before Council pursuant to Council's rules in order to transfer a subject matter from one Committee to another. He stated he was never asked for a specific opinion on that particular issue at the time.

Supervisor Rozier asked for clarification, the question on the agenda tonight is not Cypress Gardens per se, the question is transferring Cypress Gardens from one Committee to another, is that right? Chairman Mims stated that is correct. Supervisor Rozier stated that question is out of order because it's against the rules. Chairman Mims stated she didn't see what the big deal was, "I'm in awe that it is a problem putting a department in the right Committee." Supervisor Rozier stated the right Committee for any department is the Committee that Council chooses to put it in. Water and Sanitation is the only Committee that is named after the department. All other Committees are made up as Council has chosen. Chairman Mims stated Council did not choose them; they were handed a paper and this is the way it was. Supervisor Rozier stated they were handed a paper by Councilmembers and the motion was made according to the paper. He stated Council made the decision and voted to go along with the suggestions Councilmember Spooner presented. Every motion was made by a Councilmember and if Council chooses to vote for that motion, then Council makes the decision. Chairman Mims stated if she remembers correctly, Councilmember Richardson tried to talk about this. She was surprised because she knew the rules could be suspended; however, the County Attorney did not advise them that the rules could be suspended. Supervisor Rozier stated one Councilmember cannot suspend the rules, Council decides to do that. The proper direction would be to see if Council wants to suspend the rules and discuss rearranging Committees in mid term.

Mr. Stokes the rules could not be suspended on this particular issue to consider the agenda item without following the rule that is already in place. That would have to be brought up as a new item before full Council. At that particular time they could consider suspending the rules. Chairman Mims stated they were not given that opportunity. Mr. Stokes stated he does not provide that opportunity.

Councilmember Richardson stated as he recalls, they did talk about putting the proper departments under the appropriate Committee. He stated he felt Recreation should have been under Community Services and was told they could discuss that at a later date. Supervisor Rozier asked was that about Cypress Gardens? Councilmember Richardson stated they did not say Cypress Gardens but any department that should be under a specific Committee. If that includes Cypress Gardens, "then so be it." The concern was that they were pulling departments out of particular areas and putting them under the wrong Committees, which is what they addressed at the beginning of the year. He stated Cypress Gardens was not discussed but there was a concern about what Committee it would come under, also, Recreation. It was a consensus of Council that they would talk about it at a later date and everyone agreed.

Councilmember Spooner stated that in the Committee on Planning and Development, the fourth item is Cypress Gardens and the sixth item is Recreation. They only discussed Recreation. This Council had determined that Recreation refers to playgrounds; for example, ball parks, organized sports, etc. She stated they have not included Cypress Gardens or the Lake Moultrie Water Park with Recreation. Whatever Committee they put something in, that's the appropriate Committee. Years ago, these Committees were set up this way because there were a lot of different department heads at that time. In order for a department head to avoid coming to three or four different Committee meetings, they looked at the Committees and grouped the responsibilities. She stated her Committee has seven items; Finance has 18 items but it doesn't mean that he has as much work as her Committee. Land Use has only a few items but has a tremendous agenda all of the time. So, you can't go by the number of items. Councilmember Spooner stated Cypress Gardens and Recreation were placed under Planning and Development, and also, the Water Park. She stated the article in the paper made reference to the fact that Chairman Mims would like to review the park's financial records and have some control over its operations. Council cannot have control over the operations; they set the budget and policy, but they do not have a hand in the day-to-day operation of any department in the County, which is set by State law. Councilmember Spooner stated that prior to the Regular Council Meeting next Monday night she would hold a Committee meeting of Planning and Development where Cypress Gardens is placed. She would ask Supervisor Rozier to provide the necessary information that would satisfy any unanswered questions they may have.

Councilmember Richardson indicated to Councilmember Spooner that when he came on Council it was his understanding that Community Services hosted the Recreation Department and she changed it because she didn't want Recreation under his Committee. So, that long-term issue that she said was planned to put under these Committees is not true; that was done so it couldn't be heard.

Councilmember Vaughn stated he didn't quite understand what all of this was about but he was there when they voted on Committee assignments and the only objection was about two Councilmembers switching Committees. That was taken care of and as he recalls the vote was unanimous based on the Committee assignments. Now, here they are six months later talking about changing Committee assignments and moving things around, "that doesn't make any sense." Councilmember Richardson stated when he brought the issue up about Recreation, it was not for him to switch Committees but for the department to be under the appropriate Committee and not juggle it around to have control. Council said at that time that it could be discussed later. So, when he saw this on the agenda he thought that's what was going to be discussed. Of course, when he read the article he found out that the discussion could go a bit further. Councilmember Vaughn stated Council has very limited control of what they can do; they can't micromanage Supervisor Rozier. Councilmember Richardson stated this has nothing to do with Jim Rozier. Councilmember Vaughn asked was the intent to shut Cypress Gardens down? Councilmember Richardson reiterated the discussion concerns placing the proper departments under the proper Committee. He feels Community Services should host Recreation and if Cypress Gardens is one, then so be it. Councilmember Vaughn stated he didn't remember anybody voting against the Committee assignments. Councilmember Richardson stated they may have been confused on what they were actually discussing and in the midst of it he and Chairman Mims actually ended up switching Committees.

Supervisor Rozier reiterated that the proper Committee is always what Council chooses to put items under. Water and Sanitation is the only Committee designed for water and sanitation items specifically. It takes five votes to do that; if one person objects that doesn't change anything. Councilmember Richardson stated he had the right to make his request and they indicated it would be discussed later.

Councilmember Vaughn asked did anyone ask Councilmember Spooner to put it on her Committee and she denied it? They all sit on every Committee.

Supervisor Rozier indicated that a couple of meetings ago, they had something under the wrong Committee and Councilmember Pinckney stated he would rather hold the item until his meeting. Councilmember Pinckney stated it was initially on the Committee on Human Services but for some strange reason it got transferred to Councilmember Crosby's Committee. Supervisor Rozier stated Council's rules don't allow that and they agreed at his request to hold it until his Committee Meeting. Councilmember Crosby stated he requested that the item be sent back to Councilmember Pinckney's Committee.

Councilmember Vaughn reiterated that Committees are now made up of the Committee of the Whole of Council. Chairman Mims stated she suggested that the Committee be made up of the whole because people would actually get up and leave because they were not on certain committees and during Council meeting they had a lot of questions.

Councilmember Crosby stated when he came on Council he rearranged all of the sub-committees, spent hours and days. He stated he provided each member of Council a copy of the rearrangement; they looked at it but it didn't go anywhere. They voted to keep it like it was

initially set up, and every two years they do that. If they start taking departments from other Committees they would have a continuous argument.

Chairman Mims reiterated she didn't know why the big controversy because good common sense would let you know that Recreation, Veteran's Affairs, Board of Registration and Election comes under Community Services. Councilmember Spooner stated, so is the Sheriff, Jail, Coroner, and Berkeley Citizens. Chairman Mims stated she knew from day one that when she put this on the agenda there would be a little group to complain.

Councilmember Spooner made reference to a situation that happened several years ago where a particular department was placed under a particular Councilmember when Johnnie Flynn was Supervisor who began to put things on the Councilmember's agenda that they did not want. So, this particular Councilmember refused to discuss the department and it was a difficult situation. Work needed to be done with the department but it came to a standstill. She stated they waited until reorganization and put that department under another Committee. They didn't try to take it out of somebody else's Committee, which was against Council's rules. However, there is no problem like this with Cypress Gardens but she would have a meeting next Monday so that Chairman Mims could discuss anything and ask any questions she wants.

Supervisor Rozier made reference to the newspaper article that said departments would have to go without copy paper, "that's simply not true." He made reference to copy paper in his meeting as an example when he had a spending freeze. For example, if somebody runs out of copy paper he would like for them to check with other departments before they buy any; they may be able to transfer some. That's not an indication that they would have to do without copy paper. Supervisor Rozier asked Chairman Mims how many employees did we have at Cypress Gardens? Chairman Mims stated she had no idea. Supervisor Rozier asked, then how did she know we had too many? Chairman Mims asked how many employees did we have? Supervisor Rozier replied, 22. Supervisor Rozier indicated that Chairman Mims told the newspaper that the park had more employees than it needed and it got special attention because it was Rozier's pet project; "I'm sorry that's reckless." Every department in this County is his pet project; he does everything he can to serve every department including Cypress Gardens, "and I love Cypress Gardens." He stated the citizens of Berkeley County love Cypress Gardens. Supervisor Rozier stated he would continue to do everything he can to help Cypress Gardens because it's a 75-year-old facility in this County and is a treasure. He doesn't get paid extra to do something for Cypress Gardens; he does it because he loves it. If that's a problem he is sorry. Supervisor Rozier stated their job is to serve the citizens of this County at the absolute least possible cost; if that means rationing copy paper that's what he would do. He stated Charleston County had 34 employees when he took over. We have 22 employees, an aquarium, a butterfly house, a reptile center, a special events building, and hopefully would build another with the money that Santee Cooper is giving us.

Councilmember Vaughn moved to adjourn; seconded by Councilmember Davis; and passed by voice vote of the Committee.

The Meeting adjourned at 6:40 p.m.

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There will be a Meeting of the COMMITTEE ON COMMUNITY SERVICES, Standing Committee of Berkeley County Council, on Monday May 14, 2001, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, S. C., following the meeting of the Committee on Justice and Public Safety, at 6:00 p.m.

1. Consideration of transferring Cypress Gardens from the Committee on Planning and Development to the Committee on Community Services.

May 9, 2001
S/Barbara B. Austin
Clerk of County Council